Group Art Unit: 2871

Examiner: T. Ton

PATENT Attorney Docket No. 08130.0007-04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Martin SCHADT et al.

Application No.: 10/076,565

Filed: February 19, 2002

For: OPTICAL COMPONENT AND

METHOD OF MANUFACTURE

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

<u>Response</u>

This communication responds to the Office Action dated August 18, 2003. Please reconsider this application in light of the following remarks.

The Examiner rejected pending claims 22-31 under the judicially created doctrine of obviousness-type double patenting over claims 1-19 of U.S. Patent No. 6,369,869 and claims 1-4 of U.S. Patent No. 6,160,597. To expedite prosecution, applicants submit with this Response a Terminal Disclaimer that should avoid both rejections. The filing of the Terminal Disclaimer does not constitute an admission of the propriety of the rejections. See MPEP § 804.02.

If there is any fee due in connection with the filing of this Response, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: October 28, 2003

Steven J. Scott

Reg. No. 43,911

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